

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA and
THE COMMONWEALTH OF
PENNSYLVANIA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Plaintiffs,

v.

CHESAPEAKE APPALACHIA, LLC,

Defendant.

Civil Action No. 4:21-00538 (MWB)

PLAINTIFFS' NOTICE OF LODGING PROPOSED CONSENT DECREE

Plaintiffs the United States of America and the Commonwealth of Pennsylvania Department of Environmental Protection with this notice lodge with the Court a proposed consent decree that contains the terms of a proposed settlement of the Complaint filed by Plaintiffs against Chesapeake Appalachia LLC. ECF No.1.

The parties have reached a proposed settlement of all claims for injunctive relief and civil penalties alleged in the Complaint. A copy of the proposed consent decree is attached to this notice and lodged with the Court. The proposed consent decree should not be signed or entered by the Court at this time. In accordance with the requirements of 28 C.F.R. § 50.7, the proposed consent decree should not be entered by the Court until after the Department of Justice provides an opportunity to persons who are not named as parties to the action to comment on the proposed consent decree. *Id.* The Department of Justice will receive and consider any written comments relating to the proposed consent decree. The Plaintiffs will then make an appropriate motion to

the Court. *Id.*

Respectfully submitted,

Dated: 3/24/2021

FOR THE UNITED STATES OF AMERICA:

/s/ Laura J. Brown

LAURA J. BROWN (PA Bar No. 208171)
U.S. Department of Justice
Environment and Natural Resources Division
Environmental Defense Section
Post Office Box 7611
Washington, DC 20044
Phone: (202) 514-3376
Laura.j.s.brown@usdoj.gov

**FOR THE PENNSYLVANIA DEPARTMENT
OF ENVIRONMENTAL PROTECTION:**

Dated: 3/24/2021

/s/ Margaret O. Murphy

MARGARET O. MURPHY (PA Bar No. 64148)
Assistant Counsel
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
(717) 783-7472
mamurphy@pa.gov

CERTIFICATE OF SERVICE

I hereby certify that on March 24, 2021 the undersigned caused the Plaintiffs' Notice of Lodging Proposed Consent Decree to be served by first class United States mail and electronic mail on the following counsel:

Jason B. Hutt, Esq.
Bracewell LLP
2001 M Street NW
Suite 900
Washington, DC 20036
(202) 828-5850
Jason.Hutt@bracewell.com

Counsel for Defendant Chesapeake Appalachia LLC

Andrew T. Bockis, Esq.
Saul Ewing Arnstein & Lehr LLP
Penn National Insurance Tower
2 North Second Street, 7th Floor
Harrisburg, PA 17101
Andrew.Bockis@saul.com

Counsel for Defendant Chesapeake Appalachia LLC

Margaret O. Murphy
Assistant Counsel
Department of Environmental Protection
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
(717) 783-7472
mamurphy@pa.gov

Counsel for Plaintiff the Commonwealth of Pennsylvania Department of Environmental Protection

/s/Laura J. Brown